

1-1 By: Alvarado, et al. H.B. No. 913
 1-2 (Senate Sponsor - Taylor of Galveston)
 1-3 (In the Senate - Received from the House May 4, 2017;
 1-4 May 15, 2017, read first time and referred to Committee on Criminal
 1-5 Justice; May 19, 2017, reported favorably by the following vote:
 1-6 Yeas 8, Nays 0; May 19, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to the prosecution of the criminal offense of the
 1-21 possession, manufacture, transport, repair, or sale of certain
 1-22 prohibited explosive weapons.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 46.01, Penal Code, is amended by adding
 1-25 Subdivision (18) to read as follows:

1-26 (18) "Improvised explosive device" means a completed
 1-27 and operational bomb designed to cause serious bodily injury,
 1-28 death, or substantial property damage that is fabricated in an
 1-29 improvised manner using nonmilitary components. The term does not
 1-30 include:

1-31 (A) unassembled components that can be legally
 1-32 purchased and possessed without a license, permit, or other
 1-33 governmental approval; or

1-34 (B) an exploding target that is used for firearms
 1-35 practice, sold in kit form, and contains the components of a binary
 1-36 explosive.

1-37 SECTION 2. Sections 46.05(a) and (e), Penal Code, are
 1-38 amended to read as follows:

1-39 (a) A person commits an offense if the person intentionally
 1-40 or knowingly possesses, manufactures, transports, repairs, or
 1-41 sells:

1-42 (1) any of the following items, unless the item is
 1-43 registered in the National Firearms Registration and Transfer
 1-44 Record maintained by the Bureau of Alcohol, Tobacco, Firearms and
 1-45 Explosives or classified as a curio or relic by the United States
 1-46 Department of Justice:

- 1-47 (A) an explosive weapon;
- 1-48 (B) a machine gun;
- 1-49 (C) a short-barrel firearm; or
- 1-50 (D) a firearm silencer;

- 1-51 (2) knuckles;
- 1-52 (3) armor-piercing ammunition;
- 1-53 (4) a chemical dispensing device;
- 1-54 (5) a zip gun; ~~or~~
- 1-55 (6) a tire deflation device; or
- 1-56 (7) an improvised explosive device.

1-57 (e) An offense under Subsection (a)(1), (3), (4), ~~or~~ (5),
 1-58 or (7) is a felony of the third degree. An offense under Subsection
 1-59 (a)(6) is a state jail felony. An offense under Subsection (a)(2)
 1-60 is a Class A misdemeanor.

1-61 SECTION 3. The change in law made by this Act applies only

2-1 to an offense committed on or after the effective date of this Act.
2-2 An offense committed before the effective date of this Act is
2-3 governed by the law in effect on the date the offense was committed,
2-4 and the former law is continued in effect for that purpose. For
2-5 purposes of this section, an offense was committed before the
2-6 effective date of this Act if any element of the offense occurred
2-7 before that date.

2-8 SECTION 4. This Act takes effect September 1, 2017.

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